

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANTONIO FUENTES and MARTIN  
ALVAREZ, on behalf of themselves, FLSA  
Collective Plaintiffs and Class Members,

Plaintiffs,

-v-

CITY BARN GROUP LLC, GREEN SUMMIT  
GROUP LLC, TM MANAGEMENT, LLC,  
BLUE RADISH 52, LLC, PHILIP M. CORHAN,  
PAUL MILLMAN, TODD MILLMAN and  
DANIEL MILLMAN,

Defendants.  
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DATE FILED: April 29, 2015

14-cv-10211 (KBF)

ORDER

KATHERINE B. FORREST, District Judge:

On April 27, 2015, the parties submitted a Stipulation of Voluntary Dismissal. The Initial Pretrial Conference scheduled for Thursday, April 30, 2015 is accordingly ADJOURNED,

This action was brought under the FLSA and New York State labor laws. A settlement must be scrutinized by the Court to ensure that it is fair. See, e.g., Elliott v. Allstate Investigations, Inc., No. 07 Civ. 6078 (DLC), 2008 WL 728648 (S.D.N.Y. Mar. 19, 2008).

Accordingly, it is hereby ORDERED that the parties inform the Court of whether they have reached settlement or if the case is dismissed for another reason. If they have reached settlement, the parties shall submit any proposed settlement agreement to the Court for its approval no later than **Wednesday, May 20, 2015**.

The parties shall also on or before that date make submissions in support of their settlement, explaining why it should be approved based on the issues described in Elliott. With regard to the FLSA claim, such submissions shall provide for any plaintiff (1) the amount of unpaid overtime compensation claimed on his or her FLSA claim; (2) the amount of the settlement consideration attributable to the FLSA claim; and (3) any weaknesses, strengths, uncertainties or other circumstances with regard to the FLSA claim, or its prosecution, that affected the corresponding portion of the settlement consideration. In addition, the submission shall (4) set forth the amount of any award of attorney's fees and the specific basis for that fee calculation (e.g., hourly rate, number of hours, and any contractual limitations on the fee award).

SO ORDERED.

Dated: New York, New York  
April 29, 2015

A handwritten signature in black ink, appearing to read "K. B. Forrest", is written above a horizontal line.

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KATHERINE B. FORREST  
United States District Judge